REMARKS

Overview of the Office Action

The Abstract has been objected to as including improper language and being in improper format.

Claims 1-7 have been rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,505,215 ("Kruglikov") in view of U.S. Patent No. 6,824,064 ("Guthery").

Status of the claims

Claims 1-4 and 6-7 have been amended.

Claim 5 has been canceled.

Claims 8-9 have been newly added.

Claims 1-4 and 6-9 are now pending.

Claims 1-7 are allowable over Kruglikov and Guthery under 35 USC §103(a)

The Office Action states that the combination of Kruglikov and Guthery teaches all of Applicants' recited elements. Applicants disagree.

Independent claim 1 has been amended to recite a method for synchronizing a first database stored in a mobile first data processing system to which a security token is coupled for communication with the mobile first data processing system, and a second database stored in a second data processing. The method includes the steps of "loading an application into the security token coupled to said mobile first data processing system; executing, by the loaded application in the security token, a command; and requesting, by said command, that the mobile first data processing system process a synchronization step, said command providing the mobile first data

processing system with information about synchronization parameters for use in synchronizing content of the first and second databases", which Kruglikov and Guthery, whether taken alone or in combination, fail to teach or suggest. Support for these claim amendments can be found in original claim 5 and in paragraph [0025] of Applicants' published specification.

Kruglikov discloses a method and system for synchronizing two different computer systems (e.g., a personal computer system and a portable computer system) supporting multiple synchronization techniques. Kruglikov teaches that the portable computer system is loaded with multiple synchronization transport modules. An application on the portable computer system of Kruglikov is executed, causing the application to automatically recognize the synchronization transport modules. The portable computer system receives a selection corresponding to one of the multiple synchronization transport modules, and the portable computer system of Kruglikov then synchronizes with the other computer system using the selected synchronization transport module.

The Examiner concedes that Kruglikov fails to teach or suggest a first data processing system that includes a security token, and that an application is loaded on the security token, as recited in Applicants' claim 1. Consequently, Kruglikov also fails to teach or suggest that the application on the security token executes a command that instructs the first data processing system to process a synchronization step (i.e., that the security token instructs the handset to perform a synchronization step), and that the synchronization parameters are supplied to the mobile first data processing system from the security token, also as recited in Applicants' claim 1. Kruglikov additionally fails to teach or suggest that the first database can be stored in the security token, as further recited in Applicants' claim 1.

Guthery discloses a smart card that is capable of storing and executing a plurality of

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applications. The smart card of Guthery includes memory that is logically partitioned into a plurality of memory blocks. A control program allocates one or more of the memory blocks of Guthery to one of the applications based on a declaration from the application of its memory needs, and schedules the applications for execution. Only those applications on the smart card of Guthery whose memory needs have been satisfied are scheduled. The control program of Guthery receives a permission request packet from a host, addressed to an application, and passes the permission request packet to the application. When the control program of Guthery receives a permission packet from the addressed application after the addressed application has had its declared memory needs satisfied, the control program sends the permission packet to the host. A virtual machine is used to execute one or more of the applications of Guthery (see Abstract and col. 3, lines 41-48 of Guthery).

Guthery, however, neither teaches nor suggests that any of the applications on the smart card are applications that execute synchronization commands, or that the data sent from the smart card to the host includes information about synchronization parameters for use by the host to synchronize two databases.

Thus, Guthery fails to teach or suggest "requesting, by said command, that the mobile first data processing system process a synchronization step, said command providing the first mobile data processing system with information about synchronization parameters for use in synchronizing content of the first and second databases", as expressly recited in Applicants' claim 1.

Furthermore, according to Guthery, the master-slave relationship between the host computer and the smart card present in then-known smart card implementations and smart card standards and specifications is preserved. Thus, the terminal or host computer into which the card is inserted or otherwise presented initiates all communications with the smart card. The host

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computer can regularly poll the card to see if there is data waiting to be sent from the card (see col. 8, lines 7-14 of Guthery). Alternatively, according to Guthery, a low-level protocol such as that defined in ESTI GSM 11.11 and 11.14 can allow the card to respond to a request from the host in a manner that indicates that additional messages are waiting to be transferred from the card to the host (see col. 8, lines 15-20 of Guthery). In neither case, however, is an application on the smart card executed to synchronize or otherwise affect data stored on another, remote system.

Thus, Guthery fails to teach or suggest that an application on the smart card initiates a command to the host to cause the host to execute a synchronization process using information about a synchronization parameter received from the smart card, as recited in Applicants' claim 1.

As expressly explained in Guthery, the smart card is a slave to the host; the smart card does not initiate any commands, but instead only responds to commands from the host. Thus, in order for the applications on the smart card of Guthery to execute, the smart card must first receive a request from the host.

In contrast to Guthery, the security token recited in Applicants' claim 1 does not require that the mobile first data processing system initiate communication with the security token to execute the synchronization process. Instead, the application on the security token initiates the command to the first data processing system to execute the synchronization process using information about synchronization parameters that is provided by the security token.

Furthermore, the Examiner's proferred combination of Kruglikov and Guthery is improper because there is no motivation, absent Applicants' teachings, to combine these references. Applicants' recited invention is directed to a situation in which a user of a mobile device must synchronize a first database on the mobile device with a second, remote database to

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which the user has no access. The application that facilitates this synchronization of the first and second databases is stored and executed on a security token that is supplied and controlled by the entity that also controls the second database. In practice, Applicants' security token may include a subscription related application that is provided by a service provider or network operator.

In contrast, Kruglikov teaches the synchronizing of two different computers that are both owned or accessible by a single user. There is no reason or motivation to use a security token, which includes an application that is under a separate entity's control, to synchronize the two computers of Kruglikov based on instructions received from such a separate entity. When a user of the computers of Kruglikov wishes to synchronize the two computers, he or she simply does so at his or her convenience.

Moreover, although Guthery teaches the use of a smart card that includes one or more applications, Guthery fails to teach or suggest a smart card that initiates a synchronization process by executing a command to a computer to start the synchronization process, and supplies information about synchronization parameters to the computer for use in synchronizing two separate databases.

Therefore, even if the computer synchronization system of Kruglikov were artificially combined with the smart card of Guthery, the resulting system would still not result in Applicants' recited invention.

In view of the foregoing, it is clear that Kruglikov and Guthery, whether taken alone or in combination, fail to teach or suggest the subject matter now recited in independent claim 1. Accordingly, claim 1 is deemed to be patentable over Kruglikov and Guthery under 35 U.S.C. §103(a).

Dependent claims

Claim 5 has been canceled. Claims 2-4 and 6-7, which depend from independent claim 1, incorporate all of the limitations of independent claim 1 and are, therefore, deemed to be patentably distinct over Kruglikov and Guthery for at least those reasons discussed above with respect to independent claim 1.

Newly added claim 8

Claim 8 has been newly added. Support for newly added claim 8 can be found in paragraph [0048] of Applicants' published specification.

Claim 8, which depends from independent claim 1, incorporates all of the limitations of independent claim 1 and is, therefore, deemed to be patentably distinct over Kruglikov and Guthery for at least those reasons discussed above with respect to independent claim 1.

Newly added claim 9

Claim 9 has been newly added. Support for newly added claim 9 can be found in paragraph [0028] of Applicants' published specification.

As discussed in detail above, Kruglikov and Guthery, whether taken alone or in combination, fail to teach or suggest "executing a command initiated by the loaded application based on a synchronization policy; and requesting, by said command, that the first mobile data processing system process a synchronization step, said command providing the first data processing system with synchronization parameters used for synchronizing content of the first and second databases", as recited in Applicants' new claim 9.
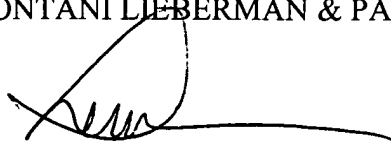
Conclusion

In view of the foregoing, reconsideration and withdrawal of all rejections, and allowance of all pending claims, are respectfully solicited.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned

Respectfully submitted,

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